

## WHAT IS CLAIMED IS:

- 1 1. In a cable communication system, a method for a set top box to receive a software  
2 code object, comprising the steps of  
3 receiving a message designating whether to tune to an in-band or an out-of  
4 band channel for receiving the code object;  
5 tuning to the designated channel; and  
6 receiving the code object from the designated channel.
- 1 2. The method of claim 1, wherein the message includes a download control message  
2 having a download flag, and further comprising the steps of reading a value of the  
3 download flag to determine whether to download the code object using an in-band or an  
4 out-of-band channel
- 1 3. The method of claim 1, wherein the code object comprises platform code, and wherein  
2 the step of receiving the code object includes downloading the platform code from the  
3 cable system by using boot code present in the set top box.
- 1 4. The method of claim 2, further comprising the step of designating the in-band or out-  
2 of-band channel for receiving the code object by means of instructions to a digital access  
3 controller in communication with the set top box.
- 1 5. The method of claim 4, wherein the step of designating the in-band or out-of-band  
2 channel includes adaptively deciding between the in-band or out-of-band channel in  
3 response to predetermined parameters related to the cable system.
- 1 6. The method of claim 5, further comprising the steps of monitoring available band  
2 widths of the cable system and deciding between the in-band or out-of-band channel in  
3 response to said monitoring.
- 1 7. In a cable communication system having at least one digital access controller, and a  
2 plurality of set top boxes in communication with the digital access controller, the  
3 improvement comprising:  
4 a download control message including a download flag and information  
5 related to a download channel frequency, the download flag capable of  
6 corresponding to one of an out-of-bound channel and an in-band channel; and

1    10. The system of claim 7, further comprising RAM for storing the code object after  
2    downloading and a CRC check to verify proper downloading has occurred.

1        SELECTION BETWEEN AN IN-BAND AND AN OUT-OF-BAND CHANNEL  
2        FOR DOWNLOADING CODE TO A SET TOP BOX

3        A cable communication system makes use of a download control message to  
4        indicate whether a code object should be downloaded to a set top box via an in-band  
5        channel or via an out-of-band channel. In one version, the system includes means for  
6        adaptively determining whether to use an in-band channel or an out-of-band channel.  
7        The related method includes the steps of receiving a message designating whether to tune  
8        to an in-band or an out-of-band channel in order to receive the code object, tuning to the  
9        designated channel, and receiving the code object from the designated channel.